

NOTICE

The draft NOAA Aviation Safety Policy that follows was approved by the NOAA Executive Council on July 1, 2005. Because certain components of the policy have yet to be developed, it may be implemented incrementally. Any implementation of the provisions of this policy within organizations represented by a labor union will be consistent with existing collective bargaining agreements and the Federal Labor-Management Relations Statute.

AVIATION SAFETY POLICY

SECTION 1. POLICY & PURPOSE.

.01 The National Oceanic and Atmospheric Administration (NOAA) has a responsibility to provide a safe working environment for its workforce, and for partners who are exposed to the risks associated with flying on aircraft owned or operated by NOAA. The purpose of this Order is to make aviation safety, a core value, the number one priority for all aviation operations by:

- a. ensuring aircraft meet NOAA's airworthiness and operational safety standards;
- b. requiring medical screening of personnel;
- c. providing personnel with aviation safety training and aviation life support equipment (ALSE); and
- d. establishing a corporate NOAA Aviation Safety Board (NASB) and Aviation Safety Program (ASP) to provide policies, procedures, tools, and training that follow the Safety Standards Guidelines for Federal Flight Programs codified in sections 102-33.140 and 102-33.155-185 of title 41 of the Code of Federal Regulations (41 CFR §102-33.140 and 41 CFR §102-33.155-185).

SECTION 2. SCOPE.

.01 Except as provided in Section 2.02, this Order applies to all NOAA personnel who fly on any aircraft in the performance of their official duties, and to all individuals who fly on aircraft owned or operated by NOAA. For purposes of this Order, aircraft operated by NOAA include:

- a. aircraft rented, chartered, leased, or owned by NOAA or NOAA personnel, and used for purposes of conducting official business; and
- b. aircraft operated by public or private entities on behalf of NOAA through written support agreements with NOAA.

.02 This Order does not apply:

- a. to use of scheduled air carriers for transportation;
- b. to use of aircraft for the acquisition of products or data (including products or data acquired through grants) where no NOAA personnel fly on the aircraft in any capacity; or
- c. to use of aircraft for movement of cargo where no NOAA personnel fly on the aircraft in any capacity.

SECTION 3. BACKGROUND.

.01 NOAA operations often require flights for purposes of transportation or mission operations made in both rotary and fixed wing aircraft operated by NOAA personnel; other Federal Agencies (including armed forces); state and local governments; foreign governments; and civilian aviation service providers. These aircraft operators may be providing the service directly to NOAA or to another party. Examples of routine NOAA flight operations include hazardous weather research, aerial damage assessment, air chemistry, forecaster training, coastal and offshore surveys, enforcement, and remote sensing.

.02 When operated by a department, agency or instrumentality of the U.S. Government (Federal Agency), an aircraft used exclusively for the U.S. Government may be considered to be operating as a “public aircraft” defined in sections 40102 and 40125 of title 49 of the U.S Code (49 U.S.C. §40102 and §40125). Except for certain airspace rules that apply to all aircraft (reference Federal Aviation Act of 1958, Title 49 U.S.C., Subtitle VII), the Federal Aviation Administration (FAA) has no legal jurisdiction over public aircraft operations. As such, public aircraft are not subject to many federal aviation regulations, including requirements relating to aircraft certification, maintenance, and pilot certification.

.03 To ensure the safety of federal employees while operating in public aircraft, Federal Agencies are required to develop agency-specific flight program standards that meet or exceed applicable civil or military rules. These standards must be incorporated in contracts and agreements as set forth in Safety Standards Guidelines for Federal Flight Programs codified by regulations set forth in 41 CFR §102-33.140 and 41 CFR §102-33.155-185.

.04 NOAA has a responsibility to ensure that:

- a. aircraft owned or operated by NOAA meet NOAA's airworthiness and operational safety standards; and
- b. all qualified non crewmembers who fly on aircraft owned or operated by NOAA for mission operations, and all NOAA personnel who fly as qualified non crewmembers on any aircraft for mission operations in the performance of their official duties, are:
 1. medically screened to ensure fitness for flight;
 2. appropriately trained in aviation safety; and
 3. provided appropriate ALSE.

SECTION 4. DEFINITIONS.

Accident (Aircraft) - is defined by the National Transportation Safety Board (NTSB) as an occurrence associated with the operation of an aircraft that takes place between the time any person boards the aircraft with the intention of flight and all such persons have disembarked, and in which any person suffers death or serious injury, or in which the aircraft receives substantial

damage.

Aeromedical Clearance Notice - a document issued by an aviation medical examiner following medical screening, indicating medical clearance for flight duties.

Aeromedical Grounding Notice - a document issued by an aviation medical examiner following medical screening, indicating the individual is not cleared for flight duties.

Aircraft - is defined by 14 CFR §1.1 as a device that is used or intended to be used for flight in the air.

Airport - is defined by 14 CFR §1.1 as an area of land or water that is used or intended to be used for the landing and takeoff of aircraft, and includes its buildings and facilities, if any. For the purposes of this Order, airports utilized for transportation must be within Class B, Class C, or Class D airspace as defined in 14 CFR §71.41, §71.51 and §71.61 or International Civil Aviation Organization (ICAO) equivalent.

Armed Forces - means the U.S. Army, Navy, Air Force, Marine Corps, and Coast Guard, including their Regular and Reserve components. For purposes of this Order, the National Guard is also included in the armed forces. The U.S. Civil Air Patrol and U.S. Coast Guard Auxiliary are not considered armed forces.

Aviation Life Support Equipment (ALSE) - means equipment that protects crewmembers and others aboard an aircraft, or assists in their safe escape, survival, and recovery during an accident or other emergency.

Aviation Services - means procurement for the use of an aircraft for mission operations or transportation.

Crewmember - is defined under 41 CFR §102-33.20 and means a person assigned to operate or assist in operating an aircraft during flight time. Crewmembers perform duties directly related to the operation of the aircraft (e.g., as pilots, co-pilots, flight engineers, navigators) or duties assisting in operation of the aircraft (e.g., as flight directors, crew chiefs, electronics technicians, mechanics).

Data Services - means the procurement of products or data that may be acquired through the use of an aircraft.

Government Aircraft - means a Federal aircraft or a commercial aircraft hired as a commercial aviation services aircraft (as defined by 41 CFR §102-33.20).

Incident (Aircraft) - as defined by the NTSB, means an occurrence other than an accident, associated with the operation of an aircraft, which affects or could affect the safety of operations.

Mission Operations - means all operations other than transportation. Mission operations include,

but are not limited to: aerial surveys; airborne data collection; forecaster training; and aerial photography. For purposes of this Order, mission operations include transportation of personnel where an aircraft departs from or lands at a location other than an airport as defined in this Order. Accordingly, transportation of personnel on aircraft that either depart from or land on a ship, oil rig, open field, beach, ice, or open water is considered mission operations.

Near Miss - means: (1) a near midair collision associated with the operation of an aircraft in which a possibility of collision occurs as a result of proximity of less than 500 feet to another aircraft, or a report is received from a pilot or a flight crew member stating that a collision hazard existed between two or more aircraft; (2) any situation involving aircraft in which evasive action was required to avoid a collision (such as emergency maneuvering to avoid a bird strike or collision with any object); or (3) any “close-call” incident that could have resulted in a fatality or serious injury, or that could have jeopardized the safety of the flight.

NOAA Aircraft - means an aircraft that NOAA owns (holds title to or has vested rights in the title) or an aircraft that NOAA leases and holds the option to purchase.

NOAA Personnel - means any NOAA employee or NOAA contract employee, or any other individual who meets the definition of a NOAA employee under Public Law 103-3 (Federal Employees Compensation Act).

Observer - means any qualified non-crewmember who monitors the performance of the Governmental function for which the aircraft is being operated. Observer status is determined by the NOAA Line or Staff Office manager responsible for the flight and shall not be granted to an individual more than once per year for a similar mission

Privately Owned Aircraft - is defined under 41 CFR §300-3.1 and means an aircraft that is rented, chartered, leased or owned by an employee for personal use. It is not rented, chartered, leased, or owned by a government agency or an employee for use in carrying out official government business.

Qualified Non-Crewmember – is defined under 41 CFR §102-33.20 and means a person flying onboard a Government aircraft whose skills or expertise are required to perform or are associated with performing the Governmental function for which the aircraft is being operated (qualified non-crewmembers may be researchers, law enforcement agents, fire fighters, agricultural engineers, biologists, etc.). Qualified non-crewmembers are not passengers.

Scheduled Air Carrier - means any common carriage passenger-carrying operation for compensation or hire conducted by a U.S. or foreign air carrier for which the air carrier or its representatives offer in advance the departure location, departure time, and arrival location (e.g., scheduled flights offered by Southwest, United, American, Lufthansa, or British Airways).

Transportation - means the use of aircraft for the exclusive purpose of moving individuals from one airport to another. Under this definition, transportation of personnel on aircraft that either depart from or land on a ship, oil rig, open field, beach, ice, or open water is not considered

transportation, but rather mission operations.

Unit - means NOAA Line or Staff Office Region or Laboratory level office (e.g. Alaska Fisheries Science Center National Marine Mammal Laboratory, NMFS Southwest Division Office for Law Enforcement, Climate Monitoring and Diagnostics Laboratory, or NWS Alaska Region).

SECTION 5. STRUCTURE AND RESPONSIBILITIES.

.01 The Director, NOAA Marine and Aviation Operations (NMAO). The Director, NMAO, shall broadly administer NOAA's aviation safety policy through the Aviation Safety Program Manager (ASPM).

.02 NOAA Aviation Safety Board (NASB).

a. The NASB is composed of the following personnel:

Voting Members:

Aviation Safety Program Manager (ASPM) - Chairperson
NOAA Aircraft Operations Center (AOC) Representative
NOAA Safety Office Representative
National Marine Fisheries Service (NMFS) Representative
National Ocean Service (NOS) Representative
Oceanic and Atmospheric Research (OAR) Representative
National Weather Service (NWS) Representative
National Environmental Satellite and Data Information Service (NESDIS)
Representative

Non-Voting Observers:

NOAA General Counsel
NOAA Acquisitions and Grants Office
NOAA Human Resources Management Office
NOAA Program Planning and Integration

Executive Secretary:

Aviation Safety Program staff designee

b. The NASB shall:

1. approve aviation safety training and ALSE requirements;
2. approve minimum aviation safety standards to be included in NOAA's contracts for aviation services and data services;
3. approve aviation safety and risk assessment tools developed by the NOAA ASP;

4. solicit and address the aviation safety issues and needs of NOAA;
5. review reports from NOAA aviation accidents and potentially dangerous incidents and recommend preventative measures to the ASPM;
6. review results of NOAA aviation safety audits to monitor compliance with NOAA aviation safety policy;
7. seek pertinent expertise on aviation safety matters before the Board; and
8. report to the NOAA Safety Council circumstances adversely impacting safety and/or efficiency of the NOAA ASP.

.03 The ASPM shall:

- a. possess significant aviation operational field experience and maintain Interagency Committee for Aviation Policy (ICAP) Federal Aviation Safety Officer credentials;
- b. maintain the NOAA Aircraft Operator Database (NAOD) described in Section 6.04 of this Order;
- c. facilitate the acquisition of aviation safety training identified in the Exhibit to this Order;
- d. acquire, distribute, and maintain ALSE identified in the Exhibit to this Order;
- e. provide aviation safety tools and instruction on the use of such tools, including risk assessment matrices and mishap response checklists;
- f. provide assistance to NOAA contracting officials by:
 1. providing language for inclusion in all relevant contracts and agreements that sets forth NOAA airworthiness and safety standards; and
 2. serving as a source evaluation board and technical evaluation panel advisor to evaluate potential offeror's aviation-related technical proposals;
- g. host an annual NOAA aviation safety conference;
- h. administer the NOAA aviation safety awards program; and
- i. maintain a NOAA aircraft accident and incident database and enter data from NOAA aircraft accidents and incidents into the Federal Aviation Accident Incident Reporting System (AAIRS) as required by 41 CFR §102-33.390, Management of Government Aircraft.

.04 NOAA Line Office Assistant Administrators (AAs) shall:

- a. designate in writing primary and alternate Line Office representatives to the NASB;
- b. hold the Line Office NASB representatives accountable for NASB duties in their performance appraisals; and
- c. ensure Line Office compliance with this Order.

.05 NOAA Contracting Officers and Contracting Officers Technical Representatives (COTRs) shall ensure that:

a. contracts and agreements for which the contracting officer is responsible, that secure the use of an aircraft on which NOAA personnel will fly:

1. are only executed with:

- (a) aircraft operators listed on the NAOD described in Section 6.04 of this Order; or
- (b) aircraft operators not listed on the NAOD, provided the contract is for the acquisition of products or data, and the only NOAA personnel on board the aircraft is a COTR; or
- (c) aircraft operators exempt in accordance with Section 2.02 of this Order; and

2. include language setting forth NOAA airworthiness and operational safety standards.

b. the ASPM or designee is consulted as a source selection board or technical evaluation panel advisor for all contracts and agreements subject to the provisions of this Order in order to evaluate the air service provider's technical proposals for ability to comply with NOAA airworthiness and operational safety standards.

.06 NOAA Aviation Medical Examiner (AME) shall:

a. medically screen qualified non crewmembers who request to fly on aircraft owned or operated by NOAA for mission operations, and all NOAA personnel serving as qualified non crewmembers on any aircraft for mission operations in the performance of their official duties, to determine fitness for flight by:

1. expeditiously evaluating responses to questions on the NOAA Health Services Aviation Questionnaire and following up if additional information is provided by the requestor;
2. receiving confirmation that the individual holds a valid FAA first, second, or third class medical certificate; or
3. receiving confirmation that the individual holds a valid Department of Defense Aeromedical

Clearance Notice;

- b. issue written authorization in the form of a NOAA Aeromedical Clearance Notice to all personnel medically qualified to fly;
- c. adhere to the FAA third class medical certificate standards regarding currency of a NOAA Aeromedical Clearance Notice (for individuals under 40 years of age it is valid for 36 months, and for individuals 40 and older it is valid for 24 months); and
- d. maintain a secure database of NOAA Health Services Aviation Questionnaire data.

.07 Crewmembers shall:

- a. have crewmember duties specified in their position description or be appointed in writing as a crewmember by the Commanding Officer of AOC;
- b. meet or exceed all crewmember certification and medical standards, training qualifications, flight experience, and flight currency prescribed in the NOAA AOC Aircraft Operations Manual for the type(s) of aircraft and the flight environment exposed to when flying for NOAA;
- c. ensure copies of all crewmember certificates, medical certificates, training received, results from standardization/evaluation check flights, and copies of flight logs are in their aviator information file at NOAA's AOC;
- d. abide by all operational procedures prescribed by the NOAA AOC Aircraft Operations Manual;
- e. notify the NOAA AME of any changes in medical condition that might impact their fitness for flight duty; and
- f. when serving as a pilot assigned to a Line Office and renting, chartering or leasing an aircraft to fly operationally for NOAA, do so exclusively from operators listed on the NAOD, and abide by all operational procedures prescribed by the NOAA AOC Aircraft Operations Manual.

SECTION 6. PROCEDURES.

.01 Type of flight operation. Prior to departure, the Line or Staff Office manager responsible for the flight shall determine whether the flight is for mission operations or transportation (as defined in Section 4 of this Order), in order to determine whether the medical screening, training, and equipment requirements set forth in Sections 6.02b and 6.03 of this Order apply.

.02 NOAA personnel are authorized to fly under the following circumstances:

- a. the aircraft is:

1. a NOAA aircraft; or

2. a non-NOAA aircraft:

(a) owned by an air service provider listed on the NAOD;

(b) owned by an air service provider not listed on the NAOD, if the aircraft is used for the acquisition of products or data, and the only NOAA personnel on board the aircraft is a COTR;

(c) owned and operated by other departments, agencies, or instrumentalities of the United States; by state or local governments; or by the governments of countries that meet the Federal Aviation Administration International Safety Assessment Program Category 1 rating (including the armed forces of those countries); or

(d) a privately owned aircraft (POA) owned by NOAA personnel, provided that use of a POA is authorized by NOAA in accordance with the Federal Travel Regulations, used exclusively for transportation, and the pilot carries no other personnel onboard; and

b. in instances involving mission operations when serving as a qualified non crewmember, the individual:

(1) possesses a valid NOAA Aeromedical Clearance Notice;

(2) has completed the appropriate aviation safety training prescribed in the Exhibit to this Order, or if deemed an observer (see definition in Section 4 of this Order) by the Line or Staff Office manager responsible for the flight, has received a pre-flight safety briefing from a member of the aircraft flight crew; and

(3) possesses, or has immediate accessibility in the aircraft to, applicable ALSE prescribed in the Exhibit to this Order.

c. in instances involving flight operations when serving as crewmember, the individual:

(1) meets the medical standards, aviation safety training, and ALSE requirements required by the NOAA AOC Aircraft Operations Manual for the position assigned.

.03 Non-NOAA personnel are authorized to fly on aircraft owned or operated by NOAA. In instances involving mission operations, non-NOAA personnel serving as qualified non crewmembers must satisfy the following conditions:

a. possession of a valid NOAA Aeromedical Clearance Notice;

b. completion of appropriate aviation safety training prescribed in the Exhibit to this Order, or if deemed an observer (see definition in Section 4 of this Order) by the Line or Staff Office manager responsible for the flight, receipt of a pre-flight safety briefing from a member of the

aircraft flight crew; and

c. possession of, or immediate accessibility in the aircraft to, applicable ALSE prescribed in the Exhibit to this Order.

.04 NOAA Aircraft Operator Database (NAOD). The NOAA ASPM shall maintain a web-based NAOD, which is a list of air service providers (both foreign and domestic) qualified to provide aviation services to NOAA. Operators in this database have been approved by the ASP and found to meet or exceed NOAA airworthiness and operational safety standards.

a. Use of aircraft in the NAOD shall be limited to those types of operations for which they have been qualified (e.g., an aircraft qualified for remote sensing may not be used for transportation unless specifically cleared for transportation). POA will not be listed on the NAOD; and

b. NOAA personnel may request additional aircraft operators be evaluated for inclusion on the NAOD by submission of a written request to the NOAA ASPM.

.05 Medical Screening for qualified non crewmembers requesting clearance to fly on mission operations will be initiated by the requester filling out a secure Web-based NOAA Health Services Aviation Questionnaire.

a. Upon submission of the completed questionnaire:

1. a NOAA Aeromedical Clearance Notice will be issued that can be printed out; or

2. the requester will receive notice that additional information must be provided to the NOAA AME for evaluation.

b. Additional screening by the NOAA AME will result in the requestor receiving in writing:

1. a NOAA Aeromedical Clearance Notice; or

2. a NOAA Aeromedical Grounding Notice.

c. NOAA supervisors will be notified of all personnel under their supervision who received a NOAA Aeromedical Grounding Notice and are deemed not medically qualified for NOAA mission operations.

.06 Aviation Safety Training is required for all personnel serving as qualified non-crewmember unless they are deemed an observer by the Line Office manager responsible for the flight. The Exhibit to this Order contains aviation safety training required for NOAA personnel who fly as qualified non crewmembers on any aircraft for mission operations in the performance of their official duties and for all qualified non crewmembers who fly on aircraft owned or operated by NOAA for mission operations. Each Line and Staff Office shall be responsible for ensuring all individuals under their supervision who are required to fly receive the aviation safety training

required by this Order.

.07 ALSE will be provided to individuals who fly on aircraft owned or operated by NOAA, as appropriate. Examples of NOAA ALSE are in the Exhibit to this Order and shall be:

- a. issued by the ASP to NOAA units in sufficient quantity to support unit flight requirements;
- b. issued to the individual by the NOAA unit, or required by contractual agreement to be provided by the aircraft operator;
- c. maintained and inspected to industry standards by the ASP if owned by NOAA; and
- d. worn by, or readily accessible to, personnel at all times while in flight.

.08 Aircraft Accidents and Incidents are required to be reported to the National Transportation and Safety Board (NTSB) as prescribed by 49 CFR §830, "Notification and Reporting of Aircraft Accidents or Incidents and Overdue Aircraft, and Preservation of Aircraft Wreckage, Mail, Cargo, and Records."

a. All NTSB-reportable accidents and incidents that occur while conducting official NOAA business must be reported by the aircraft operator working under contract or other written agreement with NOAA to:

- 1. the NOAA ASPM; and
- 2. the NOAA Contracting Officer overseeing the contract.

b. NOAA personnel involved in an accident, incident, or near-miss involving an aircraft owned or operated by NOAA must report the occurrence in accordance with NOAA Administrative Order (NAO) 209-1, NOAA Safety Policy, and any superseding Department of Commerce (DOC) and/or NOAA guidance.

c. Accidents and incidents involving aircraft owned or operated by NOAA will be investigated in accordance with the policies and procedures set forth by the NOAA Incident Investigation Program.

.09 Request for Waiver to provisions of this Order shall be presented in writing to the Director, NMAO, with a copy to the ASPM. The Director, NMAO, is the approval authority for all waivers to provisions of this Order.

SECTION 7. EFFECT ON OTHER ISSUANCES.

Use of aircraft for NOAA operations is also governed by NAO 216-104, Management and Utilization of Aircraft, and by NAO 217-106, Transportation of Nongovernment Personnel as Passengers on NOAA Vessels, Aircraft, and Motor Vehicles. This Order should be read in conjunction with the others. If there is a conflict, this Order shall govern.

Under Secretary of Commerce
for Oceans and Atmosphere

Office of Primary Interest:
NOAA Marine and Aviation Operations (NMAO)

Attachments:
Appendix - List of Acronyms
Exhibit - NOAA Aviation Safety Training and ALSE Requirements

APPENDIX LIST OF ACRONYMS

AA - NOAA Line Office Assistant Administrator
AAIRS - Aviation Accident Incident Reporting System
ALSE - Aviation Life Support Equipment
AME - Aviation Medical Examiner
AOC - (NMAO) Aircraft Operations Center
ASP - (NOAA) Aviation Safety Program
ASPM - Aviation Safety Program Manager
COTR - Contracting Officer's Technical Representative
FAA - Federal Aviation Administration
ICAO - International Civil Aviation Organization
ICAP - Interagency Committee for Aviation Policy
NAO - NOAA Administrative Order
NAOD - NOAA Aircraft Operator Database
NASB - NOAA Aviation Safety Board
NESDIS - NOAA Satellites and Information
NMAO - NOAA Marine and Aviation Operations
NMFS - NOAA Fisheries Service
NOS - NOAA Ocean Service
NTSB - National Transportation Safety Board
NWS - NOAA Weather Service
OAR - NOAA Research
POA - Privately Owned Aircraft

EXHIBIT

NOAA AVIATION SAFETY TRAINING AND ALSE REQUIREMENTS

Note: Aviation Safety Training and ALSE Requirements presented in this exhibit are subject to modification by the NOAA Aviation Safety Board. The most current information will be posted on the NOAA Aviation Safety web site.

Aviation Safety Training							
Training Method		NOAA E-Learning		Egress Video	Classroom and Hands-on	Classroom and Hands-on	Classroom and Hands-on
Training Frequency		annual	annual	annual	once every 5 years	one time	one time
Flight Purpose and Environmental Conditions	Personnel	NOAA Aviation Policy and Procedures	Basic Aviation Safety and Survival	Water Ditching and Survival		High Altitude Physiology (Altitude Chamber)	Aviation Crash and Cold Weather Survival
Mission Operations Overwater	NOAA	√	√	√	√		
	Non-NOAA		√	√	√		
Mission Operations in Cold Weather (<32F)	NOAA	√	√				√
	Non-NOAA		√				√
Mission Operations above 10,000 feet	NOAA	√	√			√	
	Non-NOAA		√			√	

Note: NOAA Personnel may request more frequent training than what is listed above

Aviation Life Support Equipment (ALSE) required to be carried in the aircraft or worn by personnel				
Flight Purpose and Environmental Conditions	Life Raft of sufficient capacity for all aircraft occupants	Personal Floatation Device (PFD) (Life Vest)	Emergency Locator Transmitter (406MHz)	Anti-Exposure Suit
Mission Operations Overwater	√	√	√	
Mission Operations in Cold Weather (<32F air temp or <59F water temp)				√